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EXAMINER	
LU, KUEN S	

ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/693,590	HARRIS, ELBERT	
	Examiner	Art Unit	
	Kuen S Lu	2167	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10, 23, 26-27, 29-31 and 33-38 are rejected under 35 U.S.C. 102(e) as anticipated by Greer et al. (U.S. Publication 2004/0117361, hereby "Greer").

As per claim 10, Greer teaches the following:

"submitting information to a submittal document stored on a component of a computer network" (See Figs. 1-2, 50 and Page 19, [0256]-[0261] wherein Greer's transmittal table details document submitted to, received and stored by the server is equivalent to Applicant's submitting information to a submittal document stored on a component of a computer network):

"requesting submittal document required information from access points connected to said computer network" (See Figs. 2, 10, 50, 53 and Page 11, [0202] wherein Greer's drawings and documents associated with each site for a construction project is stored and asRequested and RFI dateRequired status of document transmittals are stored in

tables is equivalent to Applicant's requesting submittal document required information from access points connected to said computer network); and

"requesting approval through said computer network of said submittal document stored on said component of said computer network" (See Figs. 1 and 50 wherein Greer's transmittals are approved or notApproved is equivalent to Applicant's requesting approval through said computer network of said submittal document stored on said component of said computer network).

As per claim 23, Greer teaches "computer network comprises the Internet" (See Fig. 1, element 112 wherein Greer's clients access system via internet is equivalent to Applicant's computer network comprises the Internet).

As per claim 26, Greer teaches the following:

"preparing a submittal containing requirements and/or specifications for at least a component of the construction project" (See Fig. 50 wherein Greer's transmittals associated with job information are specifically stored in the transmittal table is equivalent to Applicant's preparing a submittal containing requirements and/or specifications for at least a component of the construction project is equivalent to Applicant's preparing a submittal containing requirements and/or specifications for at least a component of the construction project);

"posting the submittal at a central location" (See Fig. 50 wherein Greer's transmittals associated with job information are specifically stored in the transmittal table is equivalent to Applicant's posting the submittal at a central location);

"accessing the submittal at the central location by a contributor to the submittal" (See Figs. 1, 50 and Page 19, [0256] wherein Greer's submittals are centrally stored and accessed via the network is equivalent to Applicant's accessing the submittal at the central location by a contributor to the submittal);

"completing the submittal by the contributor" (See Figs. 1, 50, 53 and Page 19, [0256] wherein Greer's submittals are centrally stored with approval, approved or notApproved status updated is equivalent to Applicant's completing the submittal by the contributor); and

"updating the posting of the submittal to include the completed submittal at the central location" (See Figs. 1, 50, 53 and Page 19, [0256] wherein Greer's submittals are centrally stored with approval, approved, notApproved or dateRequired status updated is equivalent to Applicant's updating the posting of the submittal to include the completed submittal at the central location).

As per claim 27, Greer teaches "notifying the contributor electronically of the posting, and/or updating, of the submittal at the central location" (See Page 7, [0132] wherein Greer's automatically generating report for providing to client upon job completion and an extensive email utility at Figs. 12 and 16-20 is equivalent to Applicant's notifying the

contributor electronically of the posting, and/or updating, of the submittal at the central location).

As per claim 29, Greer teaches "a user of said contributor access point is a subcontractor on said construction project" (See Figs. 1, 43 and Page 17, [0247] wherein Greer's jobs records table stores information of contractor associated with a jobsite, the construction project where various types of clients accessing the system via network is equivalent to Applicant's a user of said contributor access point is a subcontractor on said construction project).

As per claim 30, Greer teaches "preparing the submittal is performed by a prime contractor on the construction project" (See Fig. 1, 8A, 50-54 and Page 19, [0256] wherein Greer's submittals associated with jobs are submitted via internet is equivalent to Applicant's preparing the submittal is performed by a prime contractor on the construction project).

As per claim 31, Greer teaches "posting and updating are accomplished electronically" (See Fig. 30 wherein Greer's PO receiving status is updated on received status is equivalent to Applicant's posting and updating are accomplished electronically).

As per claim 33, Greer teaches "approving the submittal and updating the posting to include the approved submittal at the central location" (See Figs. 1, 50, 53 and Page 19, [0256] wherein Greer's submittals are centrally stored with approval, approved or notApproved status updated is equivalent to Applicant's approving the submittal and updating the posting to include the approved submittal at the central location).

As per claim 34, Greer teaches "storing a submittal history" (See Fig. 50 wherein Greer's transmittal table keeps various history information in the table is equivalent to Applicant's storing a submittal history).

As per claim 35, Greer teaches "submittal history is maintained beyond completion of the construction project" (See Page 1, [0007] validation of a completed project may take months is equivalent to Applicant's submittal history is maintained beyond completion of the construction project).

As per claim 36, Greer teaches "submittal history includes submittal information" (See Fig. 50 wherein Greer's transmittal table keeps various history information in the table is equivalent to Applicant's submittal history includes submittal information).

As per claim 37, Greer teaches "tracking submittal information" (See Fig. 50 wherein Greer's transmittal table keeps various history information in the table is equivalent to Applicant's tracking submittal information).

As per claim 38, Greer teaches "tracking submittal information comprises the step of updating a submittal history archive" (See Page 1, [0007] and Fig. 50 wherein Greer's transmittal table keeps various history information in the table for months after the project completion is equivalent to Applicant's tracking submittal information comprises the step of updating a submittal history archive).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-8, 11-14, 16, 21-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greer et al. (U.S. Publication 2004/0117361, hereby "Greer") and further in view of OraDBA (Oracle Certified Professional™ DBA Certification Exam Guide, Jason Couchman, Osborne McGraw-Hill, 1998, hereafter "OraDBA").

As per claims 1, 3, 11 and 14, Greer teaches the following:

"providing a first database containing information related to managing a construction project having stored therein a plurality of requirements for the construction project" (See Figs. 2, 10 and Page 11, [0202] wherein Greer's drawings and documents associated with each site for a construction project is stored is equivalent to Applicant's providing a first database containing information related to managing a construction project having stored therein a plurality of requirements for the construction project);

"providing a second database containing specific information on system users" (See Figs. 69-70 and Page [0287]-[0289] wherein Greer's information for project manager, team leader, designer and contacts for architect, electrical, structural and general are stored is equivalent to Applicant's providing a second database containing specific information on system users);

"providing a third database containing information on submittal documents to be completed and approved as part of a project" (See Figs. 4, 50, 53-54 and Pages 6, [0131] and Page 13, [0213] wherein Greer's transmittals and RFI tables store transmittal approval, approved or notApproved data, and Requests For Information tracking data, respectively is equivalent to Applicant's providing a third database containing information on submittal documents to be completed and approved as part of a project); and

"providing a computer network including a plurality of user computer access points" (See Fig. 1 wherein Greer's various types of client access to the system via internet is equivalent to Applicant's providing a computer network including a plurality of user computer access points).

Greer does not specifically teach "said network including a subscriber access point having full access to read and to change information in said first, second and third databases", although Greer teaches various clients access the server from network and where various modifications to a variety of data tables are recorded with resulting status and date of changes, and user who made the change at Figs. 1, 10, 17, 69-70 and 50-54 where database objects are selected to view and are saved with changes.

However, OraDBA teaches granting privilege(s) on database object(s) to database user(s) at Pages 462.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine OraDBA's teaching with Greer reference by granting select and update privileges on documents/drawing revisions, user tables and submittal revisions to specific database users, such as administrators or super-users because granting privilege(s) on database object(s) to database user(s) is one of the most fundamental and basic operations of database system, and the combined teaching would have made Greer's system remaining manageable on the basis of data integrity through privileged read and update of the database objects by authorized users.

The combined OraDBA-Greer reference further teaches the following:
"said network further including a contributor access point having access to read information in said first and second databases and access to read and change information in said third database" (See Greer: Figs. 1, 10, 17, 69-70 and 50-54 where various clients access the server from network and where various modifications to a variety of data tables are recorded with resulting status and date of changes, and user

who made the change, and OraDBA: Page 462 where privilege(s) on database object(s) are granted to database user(s) is equivalent to Applicant's said network further including a contributor access point having access to read information in said first and second databases and access to read and change information in said third database); and

"said network further including a responder access point having access to read information in said first, second and third database and having the ability to approve said submittal documents" (See Greer: Figs. 1, 10, 17, 69-70 and 50-54 where various clients access the server from network and where various modifications to a variety of data tables are recorded with resulting status and date of changes made, and user who made the change, and further, the transmittals are recorded approved or notApproved, and OraDBA: Page 462 where privilege(s) on database object(s) are granted to database user(s) is equivalent to Applicant's said network further including a responder access point having access to read information in said first, second and third database and having the ability to approve said submittal documents).

Greer further teaches "archiving completed submittal documents for future retrieval" (See Page 1, [0007] validation of a completed project may take months is equivalent to Applicant's archiving completed submittal documents for future retrieval).

As per claim 2, Greer teaches "said subscriber access point can issue passwords to give access to information to said contributor access point and said responder access point" (See Figs. 1, 17 and Page 11, [0190] and Page 13, [0217] wherein Greer's user

name and password are set up before transaction made by viewer or field clients via network access is equivalent to Applicant's said subscriber access point can issue passwords to give access to information to said contributor access point and said responder access point).

As per claims 4 and 13, the combined OraDBA-Greer reference further teaches "receiving information from a responder access point having the ability to read only information in said first, second and third database and said network having the ability to receive approval of said submittal documents from said responder access point such that automatic authorization of project payments can be provided via said computer network" (See Greer: Fig. 1 Figs. 4, 50, 53-54 and Pages 6, [0131] and Page 13, [0213] wherein Greer's transmittals and RFI tables store transmittal approval, approved or notApproved data, and Requests For Information tracking data, respectively via network access, and OraDBA: Page 462 where privilege(s) on database object(s) are granted to database user(s)).

As per claims 5 and 12, "a user of said subscriber access point is a prime contractor on said construction project" (See Fig. 43 and Page 17, [0247] wherein Greer's jobs records table stores information of contractor associated with a jobsite, the construction project is equivalent to Applicant's a user of said subscriber access point is a prime contractor on said construction project).

As per claim 6, Greer teaches "requirements for the construction project include project drawings" (See Figs. 2, 10, Page 11, [0202] and Page 18, [0248] wherein Greer's CAD files are stored is equivalent to Applicant's requirements for the construction project include project drawings).

As per claim 7, Greer teaches "a user of said responder access point is an architect or a project engineer on said construction project" (See Fig. 43 and Page 17, [0247] wherein Greer's jobs records table stores information of architect associated with a jobsite, the construction project is equivalent to Applicant's a user of said responder access point is an architect or a project engineer on said construction project).

As per claim 8, Greer teaches "project payments are for materials required in said submittal document" (See Figs. 27-40 and Page 1, [0005] wherein Greer's ordering materials and supplies is equivalent to Applicant's project payments are for materials required in said submittal document).

As per claim 21, Greer teaches "a user of said contributor access point is a subcontractor on said construction project" (See Figs. 1, 43 and Page 17, [0247] wherein Greer's jobs records table stores information of contractor associated with a jobsite, the construction project where various type of client accessing the system via network is equivalent to Applicant's a user of said contributor access point is a subcontractor on said construction project).

As per claims 20, 22 and 24-25, Greer teaches "computer network comprises the Internet" (See Fig. 1, element 112 wherein Greer's clients access system via internet is equivalent to Applicant's computer network comprises the Internet).

As per claim 16, the combined OraDBA-Greer reference further teaches "at least one contributor access point has access to read and change information in said first and second databases" (See Greer: Figs. 1, 10, 69-70 and Page 22, [0285]-[0289] where various clients access the databases via internet, and OraDBA: Page 462 where privilege(s) on database object(s) are granted to database user(s)).

5. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greer et al. (U.S. Publication 2004/0117361, hereby "Greer") in view of OraDBA (Oracle Certified Professional™ DBA Certification Exam Guide, Jason Couchman, Osborne McGraw-Hill, 1998, hereafter "OraDBA"), as applied to 1, 3, 10, 11, 14 and 26 above, and further in view of Kenedy (U.S. Publication 2003/0187932).

As per claim 9, the combined OraDBA-Greer reference does not specifically teach "the step of automatically sending a message via said computer network to said contributor when information is received", although Greer teaches automatically generating report for providing to client upon job completion at Page 7, [0132] and an extensive email utility at Figs. 12 and 16-20.

However, Kenedy teaches automatic email message (See Page 9, [0086]) and automatic notice (See Page 12, [0117]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to further combine Kenedy's teaching with OraDBA-Greer reference by implementing email automatic notification feature because the Kenedy and Greer references are directed to processes and procedures in a collaborative environment and the further combined teaching would have enabled Greer's system more efficient on interacting with users about status of a construction project.

As per claim 15, the combined OraDBA-Greer reference does not specifically teach "notifying automatically said subscriber and said contributor access points upon approval of a submittal document through said computer network", although Greer teaches "contributor access points upon approval of a submittaldocument through said computer network" (See Figs. 1, 50, 53 and Page 19, [0256] wherein Greer's submittals are centrally accessed and stored with approval, approved or notApproved status updated).

However, Kenedy teaches automatic email message (See Page 9, [0086]) and automatic notice (See Page 12, [0117]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to further combine Kenedy's teaching with OraDBA-Greer reference by implementing email automatic notification feature because the

Kenedy and Greer references are directed to processes and procedures in a collaborative environment and the further combined teaching would have enabled Greer's system more efficient on interacting with users about status of a construction project.

6. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greer et al. (U.S. Publication 2004/0117361, hereby "Greer") in view of OraDBA (Oracle Certified Professional™ DBA Certification Exam Guide, Jason Couchman, Osborne McGraw-Hill, 1998, hereafter "OraDBA"), as applied to 1, 3, 10, 11, 14 and 26 above, and further in view of McKeen et al. (U.S. Patent 6,529,880, hereafter "McKeen").

As per claims 17 and 19, the combined OraDBA-Greer reference does not specifically teach "automatic authorization of project payments can be provided via said computer network", although Greer teaches automatic "receiving approval of said submittal documents" (See Figs. 1, 50, 53 and Page 19, [0256] wherein Greer's submittals are centrally stored with approval, approved or notApproved status updated).

However, McKeen teaches automatic authorization of project payments can be provided via said computer network at the Abstract and Fig. 5.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to further combine McKeen's teaching with OraDBA-Greer reference by implementing automatic payment authorization and payment features because the Greer and McKeen references are related to accounting payable,

and the combined teaching would have been more desirable to the operation of Greer system because it could have reduced the time for processing transactions and receiving payments.

As per claim 18, Greer further teaches "payment requests are received from said contributor" (See Fig. 37 wherein Greer's PurchaseOrders stored vendor information and payable amount is equivalent to Applicant's payment requests are received from said contributor).

7. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Greer et al. (U.S. Publication 2004/0117361, hereby "Greer") as applied to 1, 3, 10, 11, 14 and 26 above, and further in view of Kenedy (U.S. Publication 2003/0187932).

As per claim 28, Greer teaches "posting, and/or updating, the submittal at the central location" as previously described in claims 27 rejection.

Greer does not specifically teach "notifying the contributor comprises automatically sending an email message" upon achievement of said step of posting, and/or updating, the submittal at the central location.

However, Kenedy teaches automatic email message (See Page 9, [0086]) and automatic notice (See Page 12, [0117]).

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to further combine Kenedy's teaching with Greer reference by implementing email automatic notification feature because the Kenedy and Greer references are directed to processes and procedures in a collaborative environment and the further combined teaching would have enabled Greer's system more efficient on interacting with users about status of a construction project.

8. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Greer et al. (U.S. Publication 2004/0117361, hereafter "Greer") as applied to 26 above, and further in view of Cornelius (U.S. Publication 2004/0117361)

As per claim 32, Greer teaches electronically posting and updating as previously described in claim 31 rejection.

Greer does not specifically teach electronically posting and updating by accomplishing "on an Internet website".

However, Cornelius teaches web servers hosting web pages at the web sites for managing construction bids at Page 1, [0006].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to further combine Cornelius's teaching with Greer by posting and updating construction project status at web pages because both references are directed toward construction project and the combined reference would have enabled Greer's system to efficiently provide updated project information to a large number of clients in a short timeframe.

9. The prior art made of record

A. U.S. Publication 2004/0117361

U. Oracle Certified Professional™ DBA Certification Exam Guide, Jason Couchman, Osborne McGraw-Hill, 1998

B. U.S. Publication 2003/0187932

C. U.S. Patent 6,529,880

D. U.S. Publication 2003/0101127

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

E. U.S. Patent 6,625,619

F. U.S. Patent 6,236,409

V. Electronic Permitting Systems and How to Implement Them, U.S. Dept. of Housing and Urban Development, April. 2002

W. e-Government Plan, "Technology @ Your Fingertips", Irving, Texas, Spring, 2002

X. Automated Permitting with Smart Permits, Arthur E. Hendriques, 1999 APA Proceedings

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number 571-272-4114. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If at tempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kuen S. Lu
Patent Examiner
April 6, 2005

Luke Wassum
Primary Examiner
April 6, 2005